

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Charles A. Wieland, Associate Justice Pro Tem; and Eve Sproule, Court Administrator/Clerk, by Yolanda I. Grigsby, Deputy Clerk.

F033191 People v. Warfield

Cause called and argued by Robert W. Gehring, Esq., counsel for appellant. Janine R. Busch, Deputy Attorney General waived oral argument.

Cause ordered submitted.

F035671 Shannon et al. v. Rhodes

Cause called and argued by Douglas L. Hurt, Esq., counsel for appellant and by Mark D. Holmes, Esq., counsel for respondent.

Cause ordered submitted.

At this point Levy, J. leaves the bench and is replaced by Vartabedian, J.

F035332 Levy et al. v. Blum et al.

Cause called and argued by Robert S. Warren, Esq., counsel for appellant and by Kendall L. Manock, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Monday, September 17, 2001 at 10:00 A.M.

F038236 In re Charley H., a Minor

No brief or request for extension of time having been filed within the time provided, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F036090 People v. Linares

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F036090 People v. Linares

The judgment of conviction and sentence imposed on count II is reversed. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F036283 In re the Marriage of PATRICIA and GLYNN SMITH

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F036283 In re the Marriage of PATRICIA and GLYNN SMITH

We vacate the May 31, 2000, Order and remand the matter for further proceedings consistent with this opinion.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F035832 People v. Malarkey

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F035832 People v. Malarkey

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038378 Vella v. Michael R. Tolladay Corp.

Pursuant to written stipulation of the parties hereto, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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F034554 **People v. Dimas**

F035899 **In re Raymond Dimas on Habeas Corpus**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.